10. For section 328 of the said Act and the heading thereto, the following heading and sections shall be substituted, namely :— New sections 328 and 328A.

[Vol. III of this Code.]

11. In the table appended to section 471 of the said Act, for the entry relating to section 328, the following entries shall be substituted, namely :— Amendment of section 471.

[Vol. III of this Code.]

12. In the table appended to section 472 of the said Act, below the entry relating to section 326, the following entries shall be inserted, namely :— Amendment of section 472.

[Vol. III of this Code.]

13. In sub-section (2) of section 489 of the said Act, after the entry "Section 327, sub-section (*l*), clause (*a*)," the following entries shall be inserted, namely :— Amendment of section 489.

[Vol. III of this Code.]

14. For Schedule G to the said Act the following shall be substituted, namely :— New Schedule G.

[Vol. III of this Code.]

15. In Part IV of Schedule M to the said Act—

(*a*) after the entry "Keeping of eating-houses" the entry "Keeping of hair dressing saloons or barbers' shops" shall be inserted ; Amendment of Schedule M.

(*b*) after the entry "Ærated waters" in the list of articles, the entry "Bidis (indigenous cigarettes)" shall be inserted.

16. The amendments contained in clause (*a*) of section 2 and in sections 4 to 8 of this Act shall have effect from the 1st day of April one thousand nine hundred and twenty. Certain amendments to take effect from what date.

BOMBAY ACT No. I OF 1922.[1]

[THE COURT-FEES (BOMBAY AMENDMENT) ACT, 1922.]

[*22nd April, 1922.*]

An Act further to amend the Court-fees Act, 1870.

WHEREAS it is expedient further to amend the[2] Court-fees Act, 1870 in its application to the Presidency of Bombay in manner hereinafter appearing ; It is hereby enacted as follows :— VII of 1870.

1. (*1*) This Act may be called the Court-fees (Bombay Amendment) Act, 1922. Short title, extent, commencement and duration.

(*2*) It extends to the whole of the Presidency of Bombay.

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1 For Statement of Objects and Reasons, *see* Bombay Government Gazette, 1922, Part V, page 31, and for Report of Select Committee, *see ibid*, 1922, Part V, page 44.

(*3*) It shall come into force on the 1st day of April 1922 and shall remain in operation for two years thereafter.

Amendment of section 7 of Act VII of 1870.

2. In section 7 of the [1] Court-fees Act, 1870, hereinafter called "the said Act"— VII of 1870.

(*a*) to clause (*d*) of paragraph *iv* the words "or other consequential relief" shall be added,

(*b*) after the word "appeal" in paragraph *iv* the words "with a minimum fee of rupees fifteen in each case" shall be inserted, and

(*c*) in clauses (*1*), (*2*) and (*3*) of the proviso to paragraph *v* for the words "five", "ten" and "ten" the words "ten", "twenty" and "twenty" shall, respectively, be substituted.

Amendment of Schedule I to Act VII of 1870.

3. For articles 1, 6, 7, 8, 11, 12 and 12-A of, and the Table of rates of *ad valorem* fees in Schedule I to the said Act the following shall be substituted, namely :—

"SCHEDULE I.

Ad Valorem Fees.

Number.	——	Proper fee.
1. Plaint, written statement pleading a set-off or counter-claim or memorandum of appeal (not otherwise provided for in this Act) or of cross-objection presented to any Civil or Revenue Court except those mentioned in section 3.	When the amount or value of the subject-matter in dispute does not exceed five rupees.	Six annas.
	When such amount or value exceeds five rupees, for every five rupees, or part thereof, in excess of five rupees, up to one hundred rupees.	Six annas.
	When such amount or value exceeds one hundred rupees, for every ten rupees, or part thereof, in excess of one hundred rupees, up to five hundred rupees.	Twelve annas.
	When such amount or value exceeds five hundred rupees, for every ten rupees, or part thereof, in excess of five hundred rupees, up to one thousand rupees.	One rupee and two annas.
	When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof, in excess of one thousand rupees, up to five thousand rupees.	Seven rupees and eight annas.
	When such amount or value exceeds five thousand rupees, for every two hundred and fifty rupees, or part thereof, in excess of five thousand rupees, up to ten thousand rupees.	Fifteen rupees.

[1] General Acts, Vol. II,

SCHEDULE I—*contd.*

Number.	—	Proper fee.
1. Plaint, etc.—*contd.*	When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, up to twenty thousand rupees.	Twenty-two rupees and eight annas.
	When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees, up to thirty thousand rupees.	Thirty rupees
	When such amount or value exceeds thirty thousand rupees, for every two thousand rupees, or part thereof, in excess of thirty thousand rupees up to fifty thousand rupees.	Thirty rupees.
	When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, or part thereof, in excess of fifty thousand rupees :	Thirty rupees.
	Provided that the maximum fee leviable on a plaint or memorandum of appeal shall be six thousand rupees.	
6. Copy or translation of a judgment or order not being, or having the force of a decree.	When such judgment or order is passed by any Civil Court other than a High Court, or by the presiding officer of any Revenue Court or Office, or by any other Judicial or Executive Authority—	
	(*a*) If the amount or value of the subject-matter is fifty or less than fifty rupees.	Eight annas.
	(*b*) If such amount or value exceeds fifty rupees.	One rupee.
	When such judgment or order is passed by a High Court.	Two rupees.
7. Copy of a decree or order having the force of a decree.	When such decree or order is made by any Civil Court other than a High Court, or by any Revenue Court—	
	(*a*) If the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees:	One rupee.
	(*b*) If such amount or value exceeds fifty rupees.	Two rupees.
	When such decree or order is made by a High Court.	Four rupees.

SCHEDULE 1—*contd.*

Number.	—	Proper fee.
8. Copy of any document liable to stamp-duty under the [1] Indian Stamp Act, 1899, when left by any party to a suit or proceeding in place of the original withdrawn.	(*a*) When the stamp-duty chargeable on the original does not exceed eight annas.	The amount of the duty chargeable on the original. II of 1899.
	(*b*) In any other case. . .	One rupee.
11. Probate of a will or letters of administration with or without will annexed.	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees, on the part of the amount or value in excess of one thousand rupees, up to five thousand rupees.	Two per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds five thousand rupees, on the part of the amount or value in excess of five thousand rupees, up to ten thousand rupees.	Two and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds ten thousand rupees, on the part of the amount or value in excess of ten thousand rupees, up to fifty thousand rupees.	Three per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds fifty thousand rupees, on the part of the amount or value in excess of fifty thousand rupees, up to one lakh of rupees.	Three and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one lakh of rupees, on the part of the amount or value in excess of one lakh of rupees, up to one lakh and fifty thousand rupees.	Four per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one lakh and fifty thousand rupees, on the part of the amount or value in excess of one lakh and fifty thousand rupees, up to two lakhs of rupees.	Four and a half per centum.

[1] General Acts, Vol. V.

SCHEDULE I—*contd.*

Number.	——	Proper fee.
11. Probate, etc.—*contd.*	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakhs of rupees, on the part of the amount or value in excess of two lakhs of rupees, up to two lakhs and fifty thousand rupees.	Five per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds two lakhs and fifty thousand rupees, on the part of the amount or value in excess of two lakhs and fifty thousand rupees, up to three lakhs of rupees.	Five and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds three lakhs of rupees, on the part of the amount or value in excess of three lakhs of rupees, up to four lakhs of rupees.	Six per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds four lakhs of rupees, on the part of the amount or value in excess of four lakhs of rupees, up to five lakhs of rupees.	Six and a half per centum.
	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds five lakhs of rupees, on the part of the amount or value in excess of five lakhs of rupees :	Seven per centum.
VII of 1889.	Provided that when, after the grant of a certificate under the [1] Succession Certificate Act, 1889, or under Bombay Regulation VIII of 1827, in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the latter grant shall be reduced by the amount of the fee paid in respect of the former grant.	.....

[1] General Acts, Vol. IV.

SCHEDULE I—*contd.*

Number.	——	Proper fee.
12. Certificate under the Succession Certificate Act, 1889.[1]	.....	The fee leviable in the case of a probate (article 11) on the amount or value of any debt or security specified in the certificate under section 8 of the Act, and one and a half times this fee on the amount or value of any debt or security to which the certificate is extended under section 10 of the Act. VII of 1889.
		Note.—*(1)* The amount of a debt is its amount, including interest on the day on which the inclusion of the debt in the certificate is applied for, so far as such amount can be ascertained.
		(2) Whether or not any power with respect to a security specified in a certificate has been conferred under the Act; and where such a power has been so conferred, whether the power is for the receiving of interest or dividends on, or for the negotiation or transfer of the security, or for both purposes, the value of the security is its market-value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained.
12A. Certificate under Bombay Regulation VIII of 1827.	.....	The fee leviable in the case of a probate (article 11) on the amount or value of the property in respect of which the certificate is granted.

[1] General Acts, Vol. IV.

Table of rates of ad valorem *fees leviable on the institution of suits.*

When the amount or value of the subject-matter exceeds—	But does not exceed —	Proper fee.	When the amount or value of the subject-matter exceeds—	But does not exceed—	Proper fee.
Rs.	Rs.	Rs. A.	Rs.	Rs.	Rs. A.
...	5	0 6	410	420	31 8
5	10	0 12	420	430	32 4
10	15	1 2	430	440	33 0
15	20	1 8	440	450	33 12
20	25	1 14	450	460	34 8
25	30	2 4	460	470	35 4
30	35	2 10	470	480	36 0
35	40	3 0	480	490	36 12
40	45	3 6	490	500	37 8
45	50	3 12	500	510	38 10
50	55	4 2	510	520	39 12
55	60	4 8	520	530	40 14
60	65	4 14	530	540	42 0
65	70	5 4	540	550	43 2
70	75	5 10	550	560	44 4
75	80	6 0	560	570	45 6
80	85	6 6	570	580	46 8
85	90	6 12	580	590	47 10
90	95	7 2	590	600	48 12
95	100	7 8	600	610	49 14
100	110	8 4	610	620	51 0
110	120	9 0	620	630	52 2
120	130	9 12	630	640	53 4
130	140	10 8	640	650	54 6
140	150	11 4	650	660	55 8
150	160	12 0	660	670	56 10
160	170	12 12	670	680	57 12
170	180	13 8	680	690	58 14
180	190	14 4	690	700	60 0
190	200	15 0	700	710	61 2
200	210	15 12	710	720	62 4
210	220	16 8	720	730	63 6
220	230	17 4	730	740	64 8
230	240	18 0	740	750	65 10
240	250	18 12	750	760	66 12
250	260	19 8	760	770	67 14
260	270	20 4	770	780	69 0
270	280	21 0	780	790	70 2
280	290	21 12	790	800	71 4
290	300	22 8	800	810	72 6
300	310	23 4	810	820	73 8
310	320	24 0	820	830	74 10
320	330	24 12	830	840	75 12
330	340	25 8	840	850	76 14
340	350	26 4	850	860	78 0
350	360	27 0	860	870	79 2
360	370	27 12	870	880	80 4
370	380	28 8	880	890	81 6
380	390	29 4	890	900	82 8
390	400	30 0	900	910	83 10
400	410	30 12	910	920	84 12

When the amount or value of the subject-matter exceeds—	But does not exceed—	Proper fee.
Rs.	Rs.	Rs. A.
920	930	85 14
930	940	87 0
940	950	88 2
950	960	89 4
960	970	90 6
970	980	91 8
980	990	92 10
990	1,000	93 12
1,000	1,100	101 4
1,100	1,200	108 12
1,200	1,300	116 4
1,300	1,400	123 12
1,400	1,500	131 4
1,500	1,600	138 12
1,600	1,700	146 4
1,700	1,800	153 12
1,800	1,900	161 4
1,900	2,000	168 12
2,000	2,100	176 4
2,100	2,200	183 12
2,200	2,300	191 4
2,300	2,400	198 12
2,400	2,500	206 4
2,500	2,600	213 12
2,600	2,700	221 4
2,700	2,800	228 12
2,800	2,900	236 4
2,900	3,000	243 12
3,000	3,100	251 4
3,100	3,200	258 12
3,200	3,300	266 4
3,300	3,400	273 12
3,400	3,500	281 4
3,500	3,600	288 12
3,600	3,700	296 4
3,700	3,800	303 12
3,800	3,900	311 4
3,900	4,000	318 12
4,000	4,100	326 4
4,100	4,200	333 12
4,200	4,300	341 4
4,300	4,400	348 12
4,400	4,500	356 4
4,500	4,600	363 12
4,600	4,700	371 4
4,700	4,800	378 12
4,800	4,900	386 4
4,900	5,000	393 12
5,000	5,250	408 12
5,250	5,500	423 12
5,500	5,750	438 12
5,750	6,000	453 12
6,000	6,250	468 12
6,250	6,500	483 12
6,500	6,750	498 12
6,750	7,000	513 12
7,000	7,250	528 12
7,250	7,500	543 12
7,500	7,750	558 12
7,750	8,000	573 12
8,000	8,250	588 12
8,250	8,500	603 12
8,500	8,750	618 12
8,750	9,000	633 12
9,000	9,250	648 12
9,250	9,500	663 12
9,500	9,750	678 12
9,750	10,000	693 12
10,000	10,500	716 4
10,500	11,000	738 12
11,000	11,500	761 4
11,500	12,000	783 12
12,000	12,500	806 4
12,500	13,000	828 12
13,000	13,500	851 4
13,500	14,000	873 12
14,000	14,500	896 4
14,500	15,000	918 12
15,000	15,500	941 4
15,500	16,000	963 12
16,000	16,500	986 4
16,500	17,000	1,008 12
17,000	17,500	1,031 4
17,500	18,000	1,053 12
18,000	18,500	1,076 4
18,500	19,000	1,098 12
19,000	19,500	1,121 4
19,500	20,000	1,143 12
20,000	21,000	1,173 12
21,000	22,000	1,203 12
22,000	23,000	1,233 12
23,000	24,000	1,263 12
24,000	25,000	1,293 12
25,000	26,000	1,323 12
26,000	27,000	1,353 12
27,000	28,000	1,383 12
28,000	29,000	1,413 12
29,000	30,000	1,443 12
30,000	32,000	1,473 12
32,000	34,000	1,503 12
34,000	36,000	1,533 12
36,000	38,000	1,563 12
38,000	40,000	1,593 12
40,000	42,000	1,623 12
42,000	44,000	1,653 12
44,000	46,000	1,683 12
46,000	48,000	1,713 12
48,000	50,000	1,743 12

When the amount or value of the subject-matter exceeds—	But does not exceed—	Proper fee.
Rs.	Rs.	Rs. A.
50,000	55,000	1,773 12
55,000	60,000	1,803 12
60,000	65,000	1,833 12
65,000	70,000	1,863 12
70,000	75,000	1,893 12
75,000	80,000	1,923 12
80,000	85,000	1,953 12
85,000	90,000	1,983 12
90,000	95,000	2,013 12
95,000	1,00,000	2,043 12
1,00,000	1,05,000	2,073 12
1,05,000	1,10,000	2,103 12
1,10,000	1,15,000	2,133 12
1,15,000	1,20,000	2,163 12
1,20,000	1,25,000	2,193 12
1,25,000	1,30,000	2,223 12
1,30,000	1,35,000	2,253 12
1,35,000	1,40,000	2,283 12
1,40,000	1,45,000	2,313 12
1,45,000	1,50,000	2,343 12
1,50,000	1,55,000	2,373 12
1,55,000	1,60,000	2,403 12
1,60,000	1,65,000	2,433 12
1,65,000	1,70,000	2,463 12
1,70,000	1,75,000	2,493 12
1,75,000	1,80,000	2,523 12
1,80,000	1,85,000	2,553 12
1,85,000	1,90,000	2,583 12
1,90,000	1,95,000	2,613 12
1,95,000	2,00,000	2,643 12
2,00,000	2,05,000	2,673 12
2,05,000	2,10,000	2,703 12
2,10,000	2,15,000	2,733 12
2,15,000	2,20,000	2,763 12
2,20,000	2,25,000	2,793 12
2,25,000	2,30,000	2,823 12
2,30,000	2,35,000	2,853 12
2,35,000	2,40,000	2,883 12
2,40,000	2,45,000	2,913 12
2,45,000	2,50,000	2,943 12
2,50,000	2,55,000	2,973 12
2,55,000	2,60,000	3,003 12
2,60,000	2,65,000	3,033 12
2,65,000	2,70,000	3,063 12
2,70,000	2,75,000	3,093 12
2,75,000	2,80,000	3,123 12
2,80,000	2,85,000	3,153 12
2,85,000	2,90,000	3,183 12
2,90,000	2,95,000	3,213 12
2,95,000	3,00,000	3,243 12
3,00,000	3,05,000	3,273 12
3,05,000	3,10,000	3,303 12
3,10,000	3,15,000	3,333 12
3,15,000	3,20,000	3,363 12
3,20,000	3,25,000	3,393 12
3,25,000	3,30,000	3,423 12
3,30,000	3,35,000	3,453 12
3,35,000	3,40,000	3,483 12
3,40,000	3,45,000	3,513 12
3,45,000	3,50,000	3,543 12
3,50,000	3,55,000	3,573 12
3,55,000	3,60,000	3,603 12
3,60,000	3,65,000	3,633 12
3,65,000	3,70,000	3,663 12
3,70,000	3,75,000	3,693 12
3,75,000	3,80,000	3,723 12
3,80,000	3,85,000	3,753 12
3,85,000	3,90,000	3,783 12
3,90,000	3,95,000	3,813 12
3,95,000	4,00,000	3,843 12
4,00,000	4,05,000	3,873 12
4,05,000	4,10,000	3,903 12
4,10,000	4,15,000	3,933 12
4,15,000	4,20,000	3,963 12
4,20,000	4,25,000	3,993 12
4,25,000	4,30,000	4,023 12
4,30,000	4,35,000	4,053 12
4,35,000	4,40,000	4,083 12
4,40,000	4,45,000	4,113 12
4,45,000	4,50,000	4,143 12
4,50,000	4,55,000	4,173 12
4,55,000	4,60,000	4,203 12
4,60,000	4,65,000	4,233 12
4,65,000	4,70,000	4,263 12
4,70,000	4,75,000	4,293 12
4,75,000	4,80,000	4,323 12
4,80,000	4,85,000	4,353 12
4,85,000	4,90,000	4,383 12
4,90,000	4,95,000	4,413 12
4,95,000	5,00,000	4,443 12
5,00,000	5,05,000	4,473 12
5,05,000	5,10,000	4,503 12
5,10,000	5,15,000	4,533 12
5,15,000	5,20,000	4,563 12
5,20,000	5,25,000	4,593 12
5,25,000	5,30,000	4,623 12
5,30,000	5,35,000	4,653 12
5,35,000	5,40,000	4,683 12
5,40,000	5,45,000	4,713 12
5,45,000	5,50,000	4,743 12
5,50,000	5,55,000	4,773 12
5,55,000	5,60,000	4,803 12
5,60,000	5,65,000	4,833 12
5,65,000	5,70,000	4,863 12
5,70,000	5,75,000	4,893 12
5,75,000	5,80,000	4,923 12
5,80,000	5,85,000	4,953 12
5,85,000	5,90,000	4,983 12

When the amount or value of the subject-matter exceeds—	But does not exceed—	Proper fee.	When the amount or value of the subject-matter exceeds—	But does not exceed—	Proper fee.
Rs.	Rs.	Rs. A.	Rs.	Rs.	Rs. A.
5,90,000	5,95,000	5,013 12	6,75,000	6,80,000	5,523 12
5,95,000	6,00,000	5,043 12	6,80,000	6,85,000	5,553 12
6,00,000	6,05,000	5,073 12	6,85,000	6,90,000	5,583 12
6,05,000	6,10,000	5,103 12	6,90,000	6,95,000	5,613 12
6,10,000	6,15,000	5,133 12	6,95,000	7,00,000	5,643 12
6,15,000	6,20,000	5,163 12	7,00,000	7,05,000	5,673 12
6,20,000	6,25,000	5,193 12	7,05,000	7,10,000	5,703 12
6 25,000	6,30,000	5,223 12	71,0,000	7,15,000	5,733 12
6,30,000	6,35,000	5,253 12	7,15,000	7,20,000	5,763 12
6,35,000	6,40,000	5,283 12	7,20,000	7,25,000	5,793 12
6,40,000	6,45,000	5,313 12	7,25,000	7,30,000	5,823 12
6,45,000	6,50,000	5,343 12	7,30,000	7,35,000	5,853 12
6,50,000	6,55,000	5,373 12	7,35,000	7,40,000	5,883 12
6,55,000	6,60,000	5,403 12	7,40,000	7,45,000	5,913 12
6,60,000	6,65,000	5,433 12	7,45,000	7,50,000	5,943 12
6,65,000	6,70,000	5,463 12	7,50,000	7,55,000	5,973 12
6,70,000	6,75,000	5,493 12	7,55,000	...	6,000 0"

Amendment of Schedule II to VII of 1870.

4. For articles 1, 1A, 6, 7, 10, 12, 14, 17, 18, 19, 20 and 21 of Schedule II to the said Act the following shall be substituted, namely :—

"SCHEDULE II.

Fixed Fees.

Number.	—	Proper fee.
1. Application or petition.	(*a*) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject-matter of such application relates exclusively to those dealings : or when presented to any officer of land-revenue by any person holding temporarily settled land under direct engagement with Government, and when the subject-matter of the application or petition relates exclusively to such engagement : or when presented to any Municipal Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement :	Two annas.